

REMARKS

Claims 2, 4-5, 9-11, 13-15 and 17-19 are rejected by the Examiner under 35 USC 102(b) as being anticipated by or, in the alternative, under 35 USC 103(a) as being obvious over U.S. Patent 4,145,468 to Mizoguchi et al. Claims 6-9, 12 and 16-18 are rejected by the Examiner under 35 USC 103(a) as being unpatentable over Mizoguchi as applied to claims 2, 4-5, 9-11, 13-15 and 17-19 and further in view of U.S. Patent 5,256,429 to Honda et al. Claims 6-9 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Mizoguchi as applied to claims 2, 4-5, 9-11, 13-15 and 17-19 and further in view of U.S. Patent 6,780,469 to Iijima. Claims 6-9, 12, and 16-18 are rejected by the Examiner under 35 USC 103(a) as being unpatentable over Mizoguchi in view of any one of U.S. Patent 4,497,095 to Minemura, U.S. Patent 4,146,663 to Ikeda, U.S. Patent 4,118,529 to Nakagawa or U.S. Patent 3,865,678 to Okamoto as applied to claims 2, 4-5, 9-11, 13-15 and 17-19 and further in view of Honda. Claims 6-9 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Mizoguchi in view of any one of Minemura, Ikeda, Nakagawa, or Okamoto as applied to claims 2, 4-5, 9-11, 13-15 and 17-19 and further in view of Iijima. Finally, claims 2, and 4-19 have been rejected by the Examiner under 35 USC 103(a) as being unpatentable over Honda in view of any one of Minemura, Ikeda, Nakagawa or Okamoto. These rejections are respectfully traversed.

The present invention is directed to a composite sheet which possesses excellent softness, uniformity of color, excellent elongation and form stability, wherein the composite sheet contains a non-woven fabric (1) having ultrafine fibers with a fineness of less than 0.3 denier, a woven or knitted fabric layer (2) containing a yarn made of ultrafine fibers having a fineness of 0.01 to less than 0.3 denier and a polyurethane resin. As recited in claim 13 of the present application, the fineness of the ultrafine fibers of the woven or knitted fabric layer (2) is further defined so as to be not more than the fineness of the ultrafine fibers of the non-woven fabric layer (1). In reviewing the prior art references, it is believed that none of the references relied upon by the Examiner recognize the importance of the specific relationship between the woven or knitted fabric layer (2) and the non-woven fabric layer (1), that is, that the fineness of the

ultrafine fibers of the woven or knitted fabric layer (2) is further defined so as to be not more than the fineness of the ultrafine fibers of the non-woven fabric layer (1).

As the Examiner will note, claims 13 and 17 have been amended to replace the expression "comprising" with the expression "which consists essentially of" and in addition, the non-woven fabric layer is now defined as being made of ultrafine fibers of a polyester based resin or a nylon based resin and, the woven or knitted fabric layer of ultrafine fibers is defined as being made of the same resin as the non-woven fabric. Example 1 of the present application exemplifies such a composite sheet wherein the ultrafine fibers of the non-woven fabric layer and the ultrafine fibers of the woven or knitted fabric layer are both made of polyethylene terephthalate. As shown in the Declaration submitted with the present Amendment, Sample 1 which utilizes polyethylene terephthalate (PET) for both the non-woven and woven fiber exhibits a superior softness and richness of color when compared to Sample 2 wherein the non-woven fiber is polyethylene terephthalate (PET) and the woven fiber is a polyamide (nylon). Thus, the claims, as amended, and as shown in the Declaration, provide a further unexpected distinction between the present invention and the prior art relied upon by the Examiner as set forth in the Examiner's final rejection. The Declaration further shows that Sample 1 possesses enhanced color, touchness and a reduced roughness when compared to Sample 2.

In Example 1 of the Mizoguchi reference, the ultrafine fiber of non-woven fabric was made by cellulose and the ultrafine fiber of woven fabric was made of nylon. In Example 8 of the Mizoguchi reference the ultrafine fiber of non-woven fabric was made of nylon and the ultrafine fiber of woven fabric was made of polyethylene terephthalate (PET). Thus, the composite sheet of the Mizoguchi reference utilizes different resins for the ultrafine fiber constituting the non-woven fabric and the ultrafine fabric constituting the woven fabric, such as set forth in Sample 2 of the Declaration submitted with the present Amendment. Thus, the Mizoguchi patent does not disclose a composite sheet wherein the ultrafine fiber constituting the non-woven fabric and the ultrafine fabric constituting the woven (knitted) fabric are made by the same resin, for example, polyethylene terephthalate (PET) as shown in Sample 1 of the Declaration, as shown in

Example 1 of the present application, and as recited in all of the claims of the present application.

Similarly, the Honda patent does not disclose that the ultrafine fiber constituting the non-woven fabric and the ultrafine fiber constituting the woven (knitted) fabric are made by the same resin such as that of Sample 1 of the present Declaration.

All of the remaining references relied upon by the Examiner do not disclose that the ultrafine fiber constituting the non-woven fabric and the ultrafine fiber constituting the woven (knitted) fabric are made of the same resin because all of these references are not related to a composite sheet but rather only to a woven fabric.

As previously argued, the present invention is also characterized in the fact that the fineness of the yarn constituting the woven or knitted fabric of the present invention is the same or less than the fineness of the yarn constituting the non-woven fabric. In fact, the fineness of the yarn constituting the woven or knitted fabric of the Mizoguchi patent is generally larger than the fineness of the yarn constituting the non-woven fabric of the Mizoguchi patent. Thus, in the U.S. Patent to Mizoguchi, the fineness of the yarn constituting the woven or knitted fabric is 0.5 to 3 denier and the fineness of the yarn constituting the non-woven fabric is 0.005 to 0.5 denier. As a result, the fineness of the yarn constituting the woven or knitted fabric is only the same as the fineness of the yarn constituting the non-woven fabric in the case of "0.5 denier." In all other cases, the fineness of the yarn constituting the woven or knitted fabric is larger than the fineness of the yarn constituting the non-woven fabric. In any event, a fabric denier of 0.5 does not fall within the range of 0.01 to 0.3 denier as recited in the claims of the present application.

In the case of the Honda patent, the fineness of yarn constituting the woven or knitted fabric is more than 2 denier (please refer to the Examples showing: 76 denier/36 filaments). Also, the fineness of the yarn constituting the non-woven fabric is less than 0.8 denier (please refer to Col. 3, lines 52-56 of the patent). Accordingly, the fineness of the yarn constituting the woven or knitted fabric is always larger than the fineness of the yarn constituting the non-woven

fabric. In addition, there is no description in either the Mizoguchi or Honda patents which specifies that the fineness of the yarn constituting the woven or knitted fabric advantageously can be the same as or less than the fineness of the yarn constituting the non-woven fabric. A credible distinction between the present invention and the prior art can be found by referring to page 7, line 3 to page 8, line 7 of the present application.

As referred to in many instances hereinabove, the present invention is directed to a composite sheet comprising a non-woven fabric and a woven fabric. To the extent that certain references are not concerned with a composite sheet but rather merely to a single woven fabric, in all of said instances, it is believed to be improper to combine the teachings of such references with those related to a composite sheet to reject the claims of the present application.

Thus, none of the references relied upon by the Examiner, either alone or in combination, recognize the Applicants' inventive contribution which is directed to a composite sheet which possesses excellent softness, low elongation and form stability wherein the component sheet contains a non-woven fabric layer (1) having ultrafine fibers with a fineness of less than 0.3 denier, a woven or knitted fabric layer (2) containing a yarn made of ultrafine fibers having a fineness of 0.01 to less than 0.3 denier and a polyurethane resin. Furthermore, none of the references relied upon by the Examiner suggest the feature of the present invention wherein the fineness of the ultrafine fibers of the woven or knitted fabric layer (2) is not more than the fineness of the ultrafine fibers of the non-woven fabric layer (1). Furthermore, none of the references suggests using the same resin for the woven and unwoven fabric layer to provide a composite sheet with an enhanced color and softness. Since none of the references relied upon by the Examiner either alone or in combination recognize the features of the present invention as discussed hereinabove, any possible combination of the prior art references relied upon by the Examiner cannot possibly suggest the present invention without reconstructing the teachings of the references in view of the Applicants' own disclosure. This is particularly true in the case of the Mizoguchi patent where a denier range of 0.5 to 3 cannot be logically expanded to overlap with the Applicants' range of 0.01 to 0.3 denier without making use of the Applicants' disclosure.

Accordingly, in view of the above amendments and remarks and particularly in view of the Declaration, reconsideration of the rejections and allowance of all of the claims of the present application are respectfully requested.

A signed copy of the enclosed 37 CFR 1.132 Declaration will follow in due course.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch Reg. No. 22,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: July 21, 2008

Respectfully submitted,

By 

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Attachment: Rule 132 Declaration